

EXHIBIT 10

CATHY CURRIE

Page 1

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

Master File No. 1:00-1998

MDL 1358 (SAS) M21-88

IN RE: METHYL TERTIARY BUTYL ETHER ("MTBE")

PRODUCTS LIABILITY LITIGATION

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL

PROTECTION, et al.

V.

ATLANTIC RICHFIELD CO., et al.,

Case No. 08-CIV-00312: (SAS)

VIDEOTAPED RULE 30(b)(6) DEPOSITION OF
CUMBERLAND FARMS, INC., BY CATHY CURRIE,
DESIGNEE, a witness called on behalf of
Plaintiffs, taken pursuant to the Federal Rules
of Civil Procedure, before Daria L. Romano, RPR,
CRR and Notary Public in and for the
Commonwealth of Massachusetts, at Goodwin
Procter, LLP, 53 State Street, Boston,
Massachusetts, on October 19, 2012, commencing
at 9:38 a.m. to 11:19 a.m.

CATHY CURRIE

Page 14	Page 16
<p>1 Q. And --</p> <p>2 A. Well, actually, I'm going to say I</p> <p>3 have a supervisor. Eight report to him, and he</p> <p>4 reports to me, but I oversee 11, to correct</p> <p>5 that.</p> <p>6 Q. Three report directly to you?</p> <p>7 A. Correct.</p> <p>8 Q. Okay. Is there -- of those 11, is</p> <p>9 there one person that is in charge of New</p> <p>10 Jersey, the supply and logistics for New Jersey?</p> <p>11 MR. HIGGINS: Objection.</p> <p>12 When I object, you can answer, unless</p> <p>13 I tell you not to. So go ahead.</p> <p>14 THE WITNESS: Okay.</p> <p>15 A. No, there's not one specific person</p> <p>16 assigned to New Jersey. Because of our</p> <p>17 schedules and the hours that we work, everything</p> <p>18 is each -- it's rotation.</p> <p>19 Q. So of those 11, different people might</p> <p>20 be on any given day handling New Jersey?</p> <p>21 A. Correct.</p> <p>22 Q. Is there people who are -- well, let's</p> <p>23 talk -- I'll get back to that. Never mind.</p> <p>24 Strike that.</p> <p>25 Prior to 1997, did you have -- were</p>	<p>1 Q. And do you have any other degrees?</p> <p>2 A. No.</p> <p>3 MR. MOONEY: Let's do that as 1.</p> <p>4 (Exhibit 1 marked</p> <p>5 for identification)</p> <p>6 BY MR. MOONEY:</p> <p>7 Q. During the course of the day I'll be</p> <p>8 handing some documents for the court reporter to</p> <p>9 mark as exhibits, and the court reporter will</p> <p>10 hand them to you, and I'll ask you some</p> <p>11 questions about those documents.</p> <p>12 You've been handed what's been marked</p> <p>13 as Exhibit 1 entitled the Third Amended Notice</p> <p>14 of Deposition of Cumberland Farms Incorporated</p> <p>15 on Designated Issues With Production of</p> <p>16 Documents and Videotaping Trial Site Number 7.</p> <p>17 Have you seen this document before?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And is it your understanding</p> <p>20 that you are here to testify today pursuant to</p> <p>21 this document?</p> <p>22 A. Yes.</p> <p>23 Q. Is it also your understanding that</p> <p>24 this is what's referred to as a 30(b)(6)</p> <p>25 deposition, and that means you're testifying on</p>
Page 15	Page 17
<p>1 you employed?</p> <p>2 A. Yes.</p> <p>3 Q. And what was your job prior to</p> <p>4 beginning with CFI?</p> <p>5 A. I worked for Pillsbury, and I worked</p> <p>6 as a LAN administrator and an analyst. LAN,</p> <p>7 local area network, I'm sorry.</p> <p>8 Q. And how long did you have that</p> <p>9 position?</p> <p>10 A. Just shy of five years.</p> <p>11 Q. And did you -- have you had any other</p> <p>12 positions in the oil industry?</p> <p>13 A. No.</p> <p>14 Q. Okay. And prior to Pillsbury, where</p> <p>15 were you?</p> <p>16 A. I worked for Kennerson Associates,</p> <p>17 which is a manufacturer's rep company.</p> <p>18 Q. What's your educational background?</p> <p>19 A. I went to Salem State College in</p> <p>20 Salem, Massachusetts.</p> <p>21 Q. And what year did you graduate?</p> <p>22 A. 1983.</p> <p>23 Q. And do you have a -- what's your</p> <p>24 degree in?</p> <p>25 A. I have a BS in geography.</p>	<p>1 behalf of Cumberland Farms?</p> <p>2 A. Yes.</p> <p>3 Q. And if you'll turn to page three,</p> <p>4 you'll see under number five the term site, and</p> <p>5 there's a reference to Trial Site Number 7,</p> <p>6 current site name, Bakers Waldwick Service</p> <p>7 Station Number 121359, 49 Franklin Turnpike,</p> <p>8 Waldwick burro, Bergen.</p> <p>9 Are you familiar with that site?</p> <p>10 A. Yes.</p> <p>11 Q. Have you ever visited that site?</p> <p>12 A. No.</p> <p>13 Q. Do you know if any of the 11 people</p> <p>14 that work or that report to you directly or</p> <p>15 indirectly, do you know if any of them have ever</p> <p>16 visited that site?</p> <p>17 A. I do not know.</p> <p>18 Q. Okay. And if you -- on page three,</p> <p>19 the bottom of page three there's the title</p> <p>20 designated issues, and then it goes on to list</p> <p>21 29 issues.</p> <p>22 Can you tell me which designated</p> <p>23 issues that you're prepared to testify to today?</p> <p>24 A. One, two, three, four, five, six,</p> <p>25 seven, eight, nine, 10, 26, 27, 28.</p>

5 (Pages 14 to 17)

CATHY CURRIE

Page 22	Page 24
<p>1 Q. How about Angela Pimental, how many 2 times did you talk to her? 3 A. I actually only E mailed with her, and 4 it was regarding dealer training. 5 Q. And what did you ask her about dealer 6 training? 7 A. If she had any copies of training 8 materials and what the training was for offsite 9 training for the dealers. 10 Q. And what did she tell you? Did she 11 have copies of -- did she have manuals? 12 A. She had copies of PowerPoint 13 presentations and attendance logs and provided a 14 recap of historical -- 15 Q. And did she provide those copies or 16 those documents to you? 17 A. Yes. 18 Q. And did you provide those to counsel? 19 A. Yes. Somebody else delivered the 20 copies, actually. I don't recall. That's okay? 21 Okay. 22 Q. So anybody else that you -- did you 23 talk to anybody else other than I think the five 24 people you mentioned to me? 25 A. Not that I recall.</p>	<p>1 A. Yes. 2 Q. Do you know if when Cumberland Farms 3 purchased the site from Chevron in 1986, whether 4 or not Cumberland Farms had conducted any kind 5 of investigation of the site? 6 A. I do not know. 7 Q. And how is the site currently 8 operated? 9 MR. HIGGINS: Objection. BY MR. MOONEY: 11 Q. Let me rephrase that. 12 Do you lease -- does Cumberland Farms 13 lease the site to anybody? 14 A. Yes. 15 Q. And who do you lease it to? When I 16 use the term you, please understand that I'm -- 17 A. It's Cumberland Farms. 18 To an independent operator. 19 Q. And has that been the case since 1986? 20 A. Correct. 21 Q. And who owns the underground storage 22 tanks? 23 A. Cumberland Farms. 24 Q. And has that been the case since 1986? 25 A. Yes.</p>
Page 23	Page 25
<p>1 Q. Did you ever have a conversation with 2 Raymond Leather about the deposition? 3 A. No. 4 Q. Do you know Mr. Leather? 5 A. Yes. 6 (Pause) 7 MR. MOONEY: I'm going to -- this 8 will be two. 9 (Exhibit 2 marked 10 for identification) 11 BY MR. MOONEY: 12 Q. Exhibit 2 is a deed. Have you seen 13 this document before? 14 A. Yes. 15 Q. Okay. Can you explain to me what this 16 document is? 17 A. This is a document aligning the 18 purchase of the site from Chevron. 19 Q. Okay. And when was the purchase done? 20 A. May 1, 1986. 21 Q. And it was purchased by Cumberland 22 Farms? 23 A. Correct. 24 Q. And Cumberland Farms still owns the 25 site?</p>	<p>1 Q. Who owned -- I used the term 2 underground storage tank, and sometimes that 3 term gets used as the whole system, gas delivery 4 system, but I'm actually going to break it down 5 a little bit. 6 Who owns the dispensers, like on the 7 island where the product comes out? 8 A. Cumberland Farms. 9 Q. Who owns the piping between the 10 underground storage tank and the dispensers? 11 A. Cumberland Farms. 12 Q. So is it fair to say that the entire 13 gasoline storage and delivery system is owned -- 14 at the site is owned by Cumberland Farms? 15 A. Yes. 16 Q. And who's responsible for the 17 maintenance, the testing and the maintenance of 18 the underground storage tanks? 19 A. Cumberland Farms. 20 Q. And how about for the testing and 21 maintenance of the dispensers? 22 A. I would say that's split 23 responsibility. I was going to say inspection 24 or maintaining. 25 Q. Let me break it down then.</p>